

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	3:12-CR-133-MMD-(VPC)
)	
GREGORIO EVARISTO SARABIA-)	
GARCIA,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on May 31, 2013, defendant GREGORIO EVARISTO SARABIA-GARCIA pled guilty to Counts One and Seven of a Seven-Count Criminal Indictment charging him in Count One with Production of Child Pornography in violation of Title 18, United States Code, Section 2251(a) and in Count Seven with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Indictment, ECF No. 9; Plea Agreement, ECF No. 26; Change of Plea, ECF No. 27.

This Court finds defendant GREGORIO EVARISTO SARABIA-GARCIA agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 9; Plea Agreement, ECF No. 26; Change of Plea, ECF No. 27.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture

...

1 Allegation of the Criminal Indictment and the offense to which defendant GREGORIO EVARISTO
2 SARABIA-GARCIA pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
4 2253:

- 5 1. One Hewlett Packard Laptop (Serial No. CNF0442930);
- 6 2. One Hewlett Packard Save Simple External Hard Drive (Serial No.
7 WCAV5C710352);
- 8 3. One Western Digital External Hard Drive (Serial No. WXE206693354);
- 9 4. Blackberry Torch Cellular Phone (Serial No. 356552043765395); and
- 10 5. any book, magazine, periodical, film, videotape, or other matter which contains any
11 such visual depiction, which was produced, transported, mailed, shipped or received
12 in violation of Title 18, United States Code, Sections 2251 and 2252A ("property").

13 This Court finds the United States of America is now entitled to, and should, reduce the
14 aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
16 United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
18 GREGORIO EVARISTO SARABIA-GARCIA in the aforementioned property is forfeited and is
19 vested in the United States of America and shall be safely held by the United States of America until
20 further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
22 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
23 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
24 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
25 name and contact information for the government attorney to be served with the petition, pursuant to
26 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
3 Virginia Street, 3rd Floor, Reno, NV 89501.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Greg Addington
8 Assistant United States Attorney
9 100 West Liberty Street, Suite 600
10 Reno, NV 89501

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
13 following publication of notice of seizure and intent to administratively forfeit the above-described
14 property.

15 DATED this 7th day of June, 2013.

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18 UNITED STATES DISTRICT JUDGE
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